



## **ANNOTATED**

**CITY COUNCIL  
REGULAR MEETING AGENDA  
WEDNESDAY, MARCH 16, 2005  
7:00 P.M.**

**Moorpark Community Center**

**799 Moorpark Avenue**

1. CALL TO ORDER:

**7:10 P.M.**

2. PLEDGE OF ALLEGIANCE:

**STEVEN KUENY, CITY MANAGER, LED THE PLEDGE OF ALLEGIANCE.**

3. ROLL CALL:

**PRESENT: COUNCILMEMBERS HARPER, MIKOS, MILLHOUSE, PARVIN,  
AND MAYOR HUNTER**

4. PROCLAMATIONS AND COMMENDATIONS:

A. Introduce New City Employee, Michael Nisito, Public Works Superintendent.

**MAYOR HUNTER INTRODUCED MICHAEL NISITO, PUBLIC WORKS SUPERINTENDENT.**

B. City Manager's Monthly Report.

**MARY LINDLEY, COMMUNITY SERVICES DIRECTOR, GAVE THE MONTHLY REPORT.**

5. PUBLIC COMMENT:

**ONE SPEAKER.**

THE CITY COUNCIL MEETING WAS RECESSED AT 7:26 P.M. TO CONVENE THE REDEVELOPMENT AGENCY MEETING. THE COUNCIL MEETING RECONVENED AT 7:28 P.M.

6. REORDERING OF, AND ADDITIONS TO, THE AGENDA:

*(Pursuant to Council Rules of Procedure, Section 2.8, Items to be withdrawn from the Consent Calendar shall be identified at this time.)*

COUNCILMEMBER PARVIN REQUESTED ITEM 10.C. BE PULLED FROM THE CONSENT CALENDAR FOR INDIVIDUAL CONSIDERATION.

7. ANNOUNCEMENTS AND FUTURE AGENDA ITEMS:

MAYOR HUNTER ANNOUNCED THE PASSING OF JAMES HARTLEY, FORMER PARKS AND RECREATION COMMISSIONER, PLANNING COMMISSIONER, AND COUNCILMEMBER.

COUNCILMEMBER PARVIN ANNOUNCED THE U.S. FISH AND GAME WILDLIFE SERVICE HAS ARRESTED THE OWNERS OF THE TIGER WHICH PERISHED IN MOORPARK.

COUNCILMEMBER PARVIN ANNOUNCED THE AMERICAN CANCER SOCIETY "RELAY FOR LIFE" WILL BE HELD AT THE END OF APRIL AND FOR ADDITIONAL INFORMATION CALL 805-523-3370.

COUNCILMEMBER PARVIN COMPLIMENTED THE COMMUNITY SERVICES DEPARTMENT FOR THE SUCCESS OF THEIR VOLUNTEER APPRECIATION EVENT.

COUNCILMEMBER HARPER WELCOMED THE "DO IT CENTER" TO MOORPARK AND RECOMMENDED THE COMMUNITY SUPPORT THIS NEW LOCAL BUSINESS.

COUNCILMEMBER MILLHOUSE ANNOUNCED THE AMERICAN DIABETES ASSOCIATION'S FIRST ANNUAL BIKE RIDE WILL TAKE PLACE ON JUNE 4TH AND FOR MORE INFORMATION CALL THE ASSOCIATION OR CONTACT HIM AT CITY HALL.

COUNCILMEMBER MIKOS ANNOUNCED ATTENDING THE OPENING OF MOORPARK'S LITTLE LEAGUE BASEBALL, CONGRATULATED THE AWARD WINNING TEAMS FROM LAST YEAR'S SEASON, AND WISHED THE TEAMS LUCK THIS YEAR.

8. PUBLIC HEARINGS:

- A. Consider General Plan Amendment No. 2001-05, Specific Plan No. 2001-01, and Zone Change No. 2001-02, for 1,650 Housing Units on 3,586.3 Acres Located Generally North of Moorpark College and State Route 118 on Land Immediately Outside City of Moorpark Municipal Boundaries. Applicant: North Park Village, LP. (Continued from January 19, 2005) Staff Recommendation: 1) Continue to take testimony in the open public hearing; and 2) Continue the agenda item with the hearing open to April 20, 2005. (Staff: David Bobardt)

**CONTINUED OPEN PUBLIC HEARING TO APRIL 20, 2005, WITH DIRECTION TO PROVIDE SUMMARY OPTIONS OF DIFFERENT BALLOT ISSUES. ALSO DIRECTED STAFF TO SCHEDULE DEVELOPMENT AGREEMENT REFERRAL TO THE PLANNING COMMISSION FOR APRIL 20, 2005.**

- B. Consider Resolutions Continuing Public Hearings Concerning the Formation of Community Facilities District No. 2004-1 (Moorpark Highlands) and Community Facilities District No. 2004-2 (Moorpark Vistas) to April 20, 2005. (continued from February 16, 2005, with public hearing open) Staff Recommendation: 1) Continue to take testimony in the open public hearings; and 2) Adopt Resolutions Nos. 2005-2296 and 2005-2297 continuing the open public hearings to April 20, 2005. (Staff: Hugh Riley)

**APPROVED STAFF RECOMMENDATION, ADOPTED RESOLUTIONS NOS. 2005-2296 AND 2005-2297, CONTINUING OPEN PUBLIC HEARINGS TO APRIL 20, 2005. (Voice Vote: Unanimous)**

- C. Consider Allocation of Community Development Block Grant (CDBG) Funds (\$186,292) for Fiscal Year (FY) 2005/2006. (continued from February 16, 2005, with public hearing closed) Staff Recommendation: Authorize the allocations recommended by the Budget and Finance Committee and staff from FY 2005/2006 CDBG funds as described in the agenda report. (Staff: Laura Stringer)

**APPROVED STAFF RECOMMENDATION, AS AMENDED, AUTHORIZING THE ALLOCATIONS RECOMMENDED BY THE BUDGET AND FINANCE COMMITTEE AND STAFF FOR FISCAL YEAR 2005/2006 CDBG**

**FUNDING AND DIRECTING STAFF TO PREPARE A LETTER ADDRESSED TO LEGISLATORS, FOR THE MAYOR'S SIGNATURE, IN SUPPORT OF CHANGING LEGISLATION TO ALLOW LOCAL AGENCIES FLEXIBILITY ON HOW FUNDS MAY BE SPENT BETWEEN THE DIFFERENT CDBG CATEGORIES. (Voice Vote: Unanimous)**

**THE CITY COUNCIL MEETING WAS RECESSED AT 9:27 P.M. AND RECONVENED AT 9:36 P.M.**

9. PRESENTATION/ACTION/DISCUSSION:

- A. Consider Underground Utility Project Priorities. Staff Recommendation: Direct staff as deemed appropriate. (Staff: Kenneth Gilbert)

**DIRECTED STAFF TO REFER THIS ITEM TO THE PUBLIC WORKS, FACILITIES AND SOLID WASTE COMMITTEE.**

- B. Consider Reassignment of Certain Departmental Responsibilities, Changes to Certain Department Names, Changes to Certain Positions, Creation of Five New Position Classifications and Addition of Two Positions. Staff Recommendation: Approve the recommended changes as contained in the agenda report and direct staff to return with revisions to the Classification Plan and General Fund appropriations. (Staff: Steven Kueny)

**APPROVED STAFF RECOMMENDATION.**

- C. Consider Resolution Amending the Salary Plan for Competitive Service, Non-Competitive Service, and Hourly Employees and Rescinding Resolution No. 2004-2221. Staff Recommendation: Adopt Resolution No. 2005-2298. (Staff: Deborah Traffenstedt)

**APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF RESOLUTION NO. 2005-2298, AS AMENDED, AND RESCINDING OF RESOLUTION NO. 2004-2221. (Voice Vote: Unanimous)**

10. CONSENT CALENDAR:

**APPROVED CONSENT CALENDAR WITH THE EXCEPTION OF ITEM 10.C., WHICH WAS PULLED FOR INDIVIDUAL CONSIDERATION. (Roll Call Vote: Unanimous)**

A. Consider Approval of Warrant Register for Fiscal Year 2004-2005 - March 16, 2005.

Manual Warrants	118635 - 118641	\$	70,584.52
Voided Warrant	118570 & 118596 & 118750	\$	(162.00)
Payroll Liability Warrants	118764 - 118768	\$	1,780.75
Regular Warrants	118642 - 118748 & 118749 - 118763	\$	46,830.34 \$1,386,988.37

Staff Recommendation: Approve the warrant register.

**APPROVED STAFF RECOMMENDATION.**

- B. Consider Resolution Amending the Fiscal Year 2004/05 Budget to Provide Additional Funding for Certain Capital Improvement Projects (8013-Los Angeles Avenue Widening: Spring Road to Moorpark Avenue; 8037-Flinn Avenue Realignment; and 8053-Civic Center Driveway). Staff Recommendation: Adopt Resolution No. 2005-2299, amending the FY 2004/05 budget. ROLL CALL VOTE REQUIRED (Staff: Kenneth Gilbert)

**APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF RESOLUTION NO. 2005-2299. (Roll Call Vote: Unanimous)**

- C. Consider Resolution Adopting Revised Rules of Procedure for Council Meetings and Rescinding Resolution No. 2003-2102. Staff Recommendation: Adopt Resolution No. 2005-2301. (Staff: Deborah Traffenstedt)

**APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF RESOLUTION NO. 2005-2301, AS AMENDED, AND RESCINDING OF RESOLUTION NO. 2003-2102. (Voice Vote: 4-1, with Councilmember Parvin dissenting)**

- D. Consider Continuation of Local Emergency. Staff Recommendation: Continue the proclamation of a local emergency. (Staff: Kim Chudoba)

**APPROVED STAFF RECOMMENDATION.**

- E. Consider Final Approval of the Seven-Year Capital Improvement Program (CIP) for Streets and Roads. Staff Recommendation: Approve the FY 2004/05 - FY 2010/11 Capital Improvement Program for Streets and Roads. (Staff: Kenneth Gilbert)

**APPROVED STAFF RECOMMENDATION.**

- F. Consider Resolution Authorizing Application for Workforce Housing Reward Grant and Authorizing City Manager to Execute All Documents Required to Participate in Program. Staff Recommendation: Adopt Resolution No. 2005-2300. (Staff: Nancy Burns)

**APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF RESOLUTION NO. 2005-2300. (Voice Vote: Unanimous)**

- G. Consider Approval of the Conceptual Design for the Landscaping to be Installed in the Tierra Rejada Road Median East of Spring Road. Staff Recommendation: Approve the design concept described in the agenda report. (Staff: Kenneth Gilbert)

**APPROVED STAFF RECOMMENDATION.**

- H. Consider Awarding a Contract for the Construction of a Sub-Drain on Little Hollow Place. Staff Recommendation: Approve the award of a construction contract to Dial Construction, Inc. for the construction of the subject project. ROLL CALL VOTE REQUIRED (Staff: Kenneth Gilbert)

**APPROVED STAFF RECOMMENDATION, INCLUDING ADOPTION OF RESOLUTION NO. 2005-2302. (Roll Call Vote: Unanimous)**

11. ORDINANCES:

- A. Consider No. 311, an Ordinance of the City of Moorpark, California, Adding Section 10.04.205 to the Moorpark Municipal Code Pertaining to the Parking of Oversized Vehicles. Staff Recommendation: Waive full reading and declare Ordinance No. 311 read for the second time and adopted as read.

**ADOPTED ORDINANCE NO. 311. (Voice Vote: Unanimous)**

12. CLOSED SESSION:

**THE COUNCIL RECESSED AT 10:05 P.M. FOR CLOSED SESSION  
DISCUSSION OF ITEM. 12.B.**

- A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to Subdivision (b) of Section 54956.9 of the Government Code: (Number of cases to be discussed - 4)
- B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION  
Initiation of litigation pursuant to Subdivision (c) of Section 54956.9 of the Government Code: (Number of cases to be discussed - 4)
- C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Pursuant to Subdivision (a) of Section 54956.9 of the Government Code)  
The Committee to Preserve Historic High Street, an unincorporated association, and Cynthia Hollister vs. City of Moorpark and Moorpark City Council (Case No. SC037584)
- D. CONFERENCE WITH LABOR NEGOTIATOR  
(Pursuant to Section 54957.6 of the Government Code)  
Agency Designated Representative: Steven Kueny  
Employee Organization: Service Employees International Union, AFL-CIO, CLC, Local 998
- E. CONFERENCE WITH LABOR NEGOTIATOR  
(Pursuant to Section 54957.6 of the Government Code)  
Agency Designated Representative: Steven Kueny  
Unrepresented employees: Accountant I, Administrative Services Director, Assistant City Manager, Assistant to City Manager/City Clerk, Budget and Finance Manager, City Engineer, Community Development Director, Community Services Director, Information Systems Manager, Planning Manager, Principal Planner, Public Works Director, Public Works Supervisor; Recreation Manager, and Senior Management Analyst
- F. PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
(Pursuant to Subdivision (b) of Section 54957 of the Government Code)

Title: Assistant City Manager, Assistant to City Manager/City Clerk, City Manager, City Attorney, City Engineer, Chief of Police, Administrative Services Director, Community Development Director, Community Services Director, and Public Works Director

13. ADJOURNMENT:

**10:15 P.M. IN MEMORY OF JAMES HARTLEY, FORMER PARKS AND RECREATION COMMISSIONER, PLANNING COMMISSIONER, AND COUNCILMEMBER.**